

Application No. 10/815087
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Amendment
Attorney Docket No. F02.2B-11374-US01

Amendments To The Drawings:

None.

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Remarks

This Amendment is in response to the Office Action dated **August 7, 2006**.

Rejection of Claims 4 & 5 §102(b) - US 6,520,715

Claims 4 and 5 were rejected as being anticipated by U.S. Patent 6,520,715 to Smith (Smith '715). That patent is directed to an asphalt paving machine which forms roads. The patent requires its screed plates 24 to have an angled lower end to penetrate the asphalt. In addition, the entire screed is angled into the asphalt (Col. 7, lines 15-18) to penetrate the asphalt. In addition, a secondary restrictor plate system 19 is required to maintain the density and shape of the asphalt mat.

The inventive screed herein is far different from the '715 patent. In order to better highlight the differences, claim 4 has been amended to provide more detail on the concrete screed plates. Concrete screed plates are very different from the cutting screed described in the '715 patent since they do the screeding and finishing, while the '715 screed merely digs into and removes excess asphalt.

It is respectfully submitted that the claim amendments clearly present a patentable invention over the reference as cited.

Rejection of Claims 4 & 5 §102(b) - U.S. 2,412,398 Harsch

Claims 4 and 5 were rejected as being anticipated by U.S. Patent 2,412,398 to Harsch (Harsch '398). That patent is easily distinguishable from the claims at issue. Note at Col. 4, lines 66-74 that if an obstruction is encountered the device must be partially disassembled by removing one or more of the tamper plates and then reassembled after the obstruction has passed.

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There is absolutely nothing in the '393 patent that would anticipate the invention as claimed which allows movement up and out of the way of one or more screed plates to bypass an obstruction without disassembling. The rejection is respectfully traversed.

Rejection of Claims 1-3 §103(a) – U.S. 6,520,715 Smith

Claims 1-3 were rejected as being obvious over the Smith reference. It was noted that Smith did not teach opposing side forms.

As discussed above, the claims as amended clearly define a patentable invention over Smith as to claims 4 and 5. Since claims 1 and 2 are narrower in scope as they deal with a machine for casting concrete panels, they are also patentable over the cited art. In fact, the differences between Smith and claims 1 and 2 is night and day. The instant claims are to a machine for casting concrete panels on a casting bed having a bottom and opposing side forms. Smith deals with a machine for laying asphalt on a road and has neither a bed bottom, opposing side forms nor even concrete. There is nothing in the cited art that could suggest any reason to apply the technology of Smith in a concrete casting machine. Smith's problem dealt with uneven road beds, something which is not present in a concrete casting machine having a well defined bed bottom.

It is respectfully submitted that none of the claims are obvious over any combination of the references.

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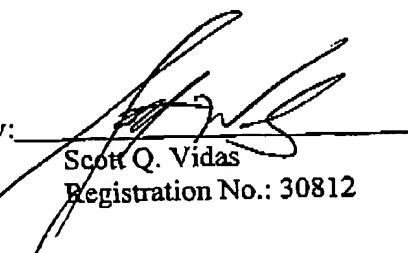
Conclusion

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It is respectfully submitted that claims 1-5, as amended, are patentable over the cited art. An early notice to that effect is requested.

Respectfully submitted,

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